

EXHIBIT 26

(Supplement)

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x

5 SERGEY LEONTIEV,

6 Plaintiff,

Case No. 16-cv-3595

7 -against-

8 ALEXANDER VARSHAVSKY,

9 Defendant.

10 - - - - -x

11 January 9, 2017

12 9:40 a.m.

13 *** CONFIDENTIAL ***

14
15 Videotaped deposition of
16 VITALIY POPOV, taken by Plaintiff,
17 pursuant to Notice, held at the offices of
18 Roschier Asianajotoimisto Oy, Keskuskatu
19 7A, Helsinki, Finland, before
20 Sharon Lengel, a Registered Professional
21 Reporter, Certified Realtime Reporter, and
22 Notary Public of the State of New York.

23
24 * * *
25

A P P E A R A N C E S:

GIBSON, DUNN & CRUTCHER LLP
Attorneys for Plaintiff
200 Park Avenue
New York, New York 10166

BY: MARSHALL KING, ESQ.
ANDREI MALIKOV, ESQ.

DEBEVOISE & PLIMPTON LLP
Attorneys for Defendant
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
BY: NICHOLAS C. TOMPKINS, ESQ.
COLBY A. SMITH, ESQ.

ALSO PRESENT:

DAVID ROSS ELLIOTT, Videographer
PAVEL KHOKHLACHEV, Interpreter
VICTOR POTAPOV, Check Interpreter

* * *

1 POPOV - CONFIDENTIAL

2 A. I'm not sure. It's possible
3 that I sent him -- it's more likely that I
4 sent him the first version.

5 Q. Do you recall whether you sent a
6 copy of this to Mr. Garden?

7 A. I don't remember.

8 MR. KING: Let's mark that,
9 please.

10 (Plaintiff's Exhibit 107, An
11 email, Bates AVP0001007, was hereby
12 marked for identification, as of this
13 date.)

14 Q. Do you recognize Exhibit 107 as
15 your response to Mr. Garden?

16 A. Yes.

17 Q. You responded to him in English?

18 A. Yes.

19 Q. Did you draft it yourself?

20 A. Yes.

21 Q. What did you mean by the
22 paragraph immediately preceding the
23 paragraph that says, "Thanks in advance"?

24 A. This is a standard disclaimer.

25 Q. A standard disclaimer because